


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.

05 OCT 17 PM 3:25

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

CURTIS BYRD,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

Cr. No. 04-20241-B/P

ORDER GRANTING DEFENDANT BYRD'S MOTION FOR A BILL OF PARTICULARS

Before the court is defendant Curtis Byrd, Jr.'s Motion for a Bill of Particulars, filed August 26, 2005 (dkt #100). In his motion, defendant Byrd asks the court to order the government to file a Bill of Particulars setting out specific details of the allegations against him, as set forth in paragraphs 1 through 8 of his motion. This motion was referred to the United States Magistrate Judge for determination.

Local Rule 12.1(c) provides that if a party opposes a motion, it shall file a response within eleven days after the motion is served. "Failure to file a response will constitute a waiver of any objections which the party may have to a motion." See LCrR12.1(c). The government did not file a response within this eleven-day period. On September 14, 2005, the court entered an order directing the government to respond to Byrd's motion within

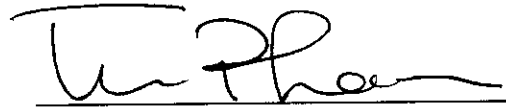
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eleven days. To date, the government has not filed a response to the motion or responded to the court's order.

Byrd's motion is GRANTED. The government is ordered to file a Bill of Particulars within eleven (11) days from the date of this order, setting out specific details of the allegations as requested in paragraphs 1 through 8 of Byrd's motion.

IT IS SO ORDERED.



TU M. PHAM

United States Magistrate Judge

October 17, 2005
Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 110 in case 2:04-CR-20241 was distributed by fax, mail, or direct printing on October 18, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT